

NOV 08 2006

FAX COVER SHEET

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Attention: Examiner: Scott E. Belliveau
Supervising Examiner: John W. Miller
UNITED STATES PATENT AND TRADEMARK OFFICE

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(Tech Center 2623)

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Supervising Examiner: John W. Miller

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Pages: Cover + 29 = 30

Date: November 8, 2006

Certificate of Transmission


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Georgann S. Grunebach, Reg. No. 33,179

November 8, 2006
Date

Attention: Commissioner for Patents

Please find attached Re:

Inventor: Craig A. Finseth, et al.

Serial No.: 09/532,755

Filed: March 22, 2000

For: METHOD AND APPARATUS FOR TRANSMISSION, RECEIPT AND DISPLAY OF ADVERTISEMENTS

> **Petition to Withdraw Holding of Abandonment (29 pgs)**

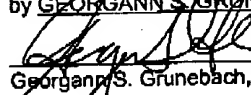
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 (Signature)
Georgann S. Grunebach, Reg. No. 33,179

November 8, 2006
(Date of Signature)

Customer Number 020991

Patent
Docket No. PD-990193

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Date: November 8, 2006

Craig A. Finseth, et al.

Serial No. 09/532,755

Group Art Unit: 2623

Filed: March 22, 2000

Examiner: Scott E. Beliveau

For: METHOD AND APPARATUS FOR TRANSMISSION,
RECEIPT AND DISPLAY OF ADVERTISEMENTS

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON PATENT AND TRADEMARK OFFICE'S LOSS OF
APPLICANT'S TIMELY FILED RESPONSE
PURSUANT TO MPEP 711.03(c) II and 37CFR § 1.181**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

On July 17, 2006, Counsel for Applicant received a courtesy telephone call from Examiner Scott Beliveau, indicating that he was taking over this application from previous Examiner Jason Chung, and was inquiring if counsel had abandoned this application by not responding to PTO communication mailed March 25, 2004.

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Applicant's counsel informed Examiner Beliveau that according to Applicant's records, we had responded to the PTO Rejection dated March 25, 2004. After a careful review of Applicant's file, Serial No. 09/532,755, it was determined that a response had been timely filed by Applicant's outside counsel on June 25, 2005 via Certified First Class Mail.

Applicant's representative support staff contacted outside counsel, Hanley, Flight and Zimmerman, to obtain a copy of the PTO stamped return post card. Subsequently, a copy of Applicant's June 25, 2004 response along with a copy of the PTO stamped return post card was facsimile transmitted to Examiner Beliveau's personal PTO facsimile number (571) 273-7343 on July 19, 2006, as per his request. Applicant's representative received confirmation of the facsimile transmission to Examiner Beliveau's fax number, and has included a copy of this receipt (see attached). No further instruction or response was received from Examiner Beliveau after the facsimile copy of Applicant's response was provided to him.

On October 16, 2006, counsel for applicant received the attached Notice of Abandonment mailed October 11, 2006. The Notice of Abandonment indicated that the application was abandoned in view of: "Applicant's failure to timely file a proper reply to the Office letter mailed on 25 March 2004; no reply has been received"; and, "Per office records - no official response has been received to date. Pursuant to a conversation with G. Grunebach on 19 July 2006, it was indicated that an official response had been sent and that applicants had in their possession a return receipt postcard. While an unofficial copy of the response was provided to the examiner, no official response was submitted as required."

Applicant's counsel contends that it was not made clear during the Examiner's call that a duplicate copy of this response also needed to be sent to the PTO Commissioner.

The undersigned hereby certifies that the enclosed response dated June 25, 2004, and the copy of Applicant's return post card dated June 25, 2004, PTO date stamped June 28, 2004, is a true copy of Applicant's response originally sent to the Commissioner via certified first class mail on June 25, 2004, and again facsimile

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transmitted to Examiner Beliveau on July 19, 2006. Applicant has also enclosed a copy of the Notice of Abandonment dated October 11, 2006.


Based on the foregoing, it is respectfully requested that the holding of abandonment be withdrawn.

It is further requested that this petition to Withdraw Holding of Abandonment be given expedited priority based upon the original submittal date of the response of June 25, 2004, lost by the Patent Office.

It is believed that no fee is due with this submission. If a fee is due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-0383 of The DIRECTV Group, Inc. (formally Hughes Electronics Corporation), El Segundo, California.

If there are any questions, applicant's attorney can be reached via telephone at (310) 964-4615, or by facsimile (310) 964-0941.

Respectfully submitted,


Georgann S. Grunebach
Reg. No. 33,179
Attorney for Applicants

Date: November 8, 2006

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